Fourth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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MEMORANDUM FROM THE SECRETARIAT OF THE SOUTH PACIFIC FORUM ON THE SUBJECT OF THE SOUTH PACIFIC NUCLEAR-FREE ZONE TREATY PREPARED FOR THE FOURTH REVIEW CONFERENCE OF THE PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

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INTRODUCTION

1. At its meeting in Rarotonga, Cook Islands, in August 1985 the South Pacific Forum agreed to adopt and open for signature the South Pacific Nuclear-Free Zone Treaty - referred to hereafter as the Treaty.

2. The Treaty is based on the following broad principles for South Pacific countries:

(a) To be free to live in peace and independence and to run their own affairs in accordance with the wishes and traditions of their people;

(b) To enjoy peaceful, social and economic development free from the threat of environmental pollution;

(c) To acknowledge existing international treaties organizations and regional arrangements such as the Charter of the United Nations, the Treaty on the Non-Proliferation of Nuclear Weapons and the United Nations Convention on the Law of the Sea which contribute to these principles;

(d) To act in accordance with applicable international principles and treaties, notably the Treaty on the Non-Proliferation of Nuclear Weapons with respect to nuclear activities;

(e) To take account of other regional arrangements;

(f) To retain their unqualified sovereign rights to decide for themselves, consistent with their support for these principles, their security arrangements.

3. The South Pacific Forum considers the Treaty as the region's contribution to strengthening global security and the international non-proliferation régime of which the non-proliferation of nuclear weapons is the corner-stone. Special attention is given to article VII of the Treaty on the Non-Proliferation of Nuclear Weapons, which recognizes the right of any group of States to conclude regional treaties so as to assure the total absence of nuclear weapons in their respective territories.

4. The South Pacific Forum members are deeply committed to world peace and security. The Treaty is an expression of their grave concern that the continuing nuclear-arms races would lead to an all out nuclear war with devastating consequences. The Treaty further stresses the deep commitment of the South Pacific Forum members to the reduction and eventual elimination of nuclear weapons and in keeping the Pacific region free of environmental pollution.

5. The Treaty entered into force on 11 December 1986 with the deposit of the eighth instrument of ratification. Eleven countries have signed and ratified the Treaty: Australia, the Cook Islands, Fiji, Kiribati, Nauru, New Zealand, Niue, Papua New Guinea, Solomon Islands, Tuvalu and Western Samoa.

6. Four South Pacific Forum members have not signed the Treaty: Tonga, Vanuatu, the Federated States of Micronesia and the Republic of the Marshall Islands. As the Treaty is open to South Pacific Forum members only, the Federated States of Micronesia and the Republic of the Marshall Islands became eligible to sign the Treaty only upon joining the Forum at its Eighteenth Meeting of May 1987.

I. THE TREATY

7. The South Pacific Nuclear-Free Zone is only the second such Zone to be established in a popu[illegible]ed region of the world - the first being the Latin American Zone created by the Treaty of Tlatelolco. The South Pacific Zone stretches in the west from the west coast of Australia to the boundary of the Latin American Zone in the east. It extends from the equator to 60° south, where the Antarctic Treaty already establishes a completely demilitarized zone covering the whole continent.

8. The Treaty contains a preamble, 16 articles and 4 annexes. Under its terms the parties pledge to each other:

- Not to possess, manufacture, or acquire nuclear explosive devices anywhere; the term nuclear explosive device is used rather than nuclear weapon to emphasize that the parties do not draw a distinction between devices which have military purposes and those for which a peaceful purpose is claimed;

- To prevent the testing of nuclear explosive devices and to prevent the stationing of nuclear explosive devices in their territory;

- To take measures including the application of full scope International Atomic Energy Agency (IAEA) safeguards to all peaceful nuclear activities in their territories, to verify the non-diversion of fissionable material;

- Not to dump radioactive waste and other radioactive matter at sea in the Zone; to prevent the dumping of such wastes or matter by anyone; not to take action to assist or encourage dumping.

9. The Treaty does not interfere with the right of each party to decide for itself whether to allow visits by foreign ships and aircraft to its ports and airfields. It also explicitly upholds the freedom of navigation on the high seas and territorial waters guaranteed by international law.

10. A comprehensive control system has been established to verify compliance with the Treaty, and there are mechanisms, including provision for mandatory on-site inspection, to investigate any complaints that may be made about such compliance. There are also provisions for review, amendment and withdrawal, and for the boundaries of the Zone to be extended as further countries join the Forum and become parties to the Treaty.

11. To underline the nature of the security commitment - one of the first to be undertaken on a regional basis - the right of withdrawal is not unilateral and can be affected only on 12 months' notice and solely "in the event of a violation by any party of the provisions of this Treaty essential to the achievement of the objectives of the Treaty or of the spirit of the Treaty".

READEX

II. THE PROTOCOLS

12. In addition to the Treaty itself there are three Protocols. The Forum deferred adopting them until after consultations with those countries eligible to sign them. These consultations took place in early 1986, when a delegation of officials from Forum countries visited the capital of all five nuclear-weapon States to explain the Protocols and their purpose. The Seventeenth South Pacific Forum in Suva in August 1986 adopted the Protocols with slight amendments, including the insertion of withdrawal clauses. The Protocols were then opened for signature on 1 December 1986.

13. Under Protocol 1, the three nations with territory in the Zone (France, the United Kingdom of Great Britain and Northern Ireland and the United States of America) are invited to apply the basic provisions of the Treaty to their respective territories. Under Protocols 2 and 3, nuclear-weapon States would agree not to use or threaten to use nuclear explosive devices against any party (or territory in the Zone of a party to Protocol 1), and undertake not to test nuclear explosive devices in the Zone. The Union of Soviet Socialist Republics and China have signed and ratified both Protocols 2 and 3. The United States declared in 1987 that in view of its global security interests and responsibilities, it was not "under current circumstances" in a position to sign the Protocols. The United States has, however, stated that none of its practices and activities within the Treaty area are inconsistent with the Treaty and its Protocols. One month after the United States declaration, the United Kingdom announced that the British national interest would not be served by becoming party to the Protocols, but added it would respect the intentions of regional States on Protocols 1 and 3. In other words it would not manufacture, test or base nuclear weapons in its one remaining territory in the region (Pitcairn Island), nor would it test nuclear weapons in the South Pacific. France on the other hand, which does test nuclear weapons in the region, has formally decided not to adhere to the Protocols.

Fourth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.IV/17
1 June 1990

ORIGINAL: ENGLISH

CONSIDERATION OF PROPOSED AGREEMENT ON THE PROHIBITION OF THE USE OR THREAT OF USE OF NUCLEAR WEAPONS AGAINST NON-NUCLEAR-WEAPON STATES PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS (PROPOSAL BY NIGERIA)

Letter dated 7 May 1990 from the Permanent Representative of Nigeria to the United Nations Office at Geneva addressed to the Chairman of the third session of the Preparatory Committee

You will recall that during the third session of the Preparatory Committee for the Fourth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, the Committee agreed, by consensus, to include Nigeria's proposed agreement on security assurances in the agenda of the Review Conference for consideration. Agreement was also reached that the proposal, which will appear in the agenda as item 13 B 3, under the title "Consideration of proposed agreement on the prohibition of the use or threat of use of nuclear weapons against non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons - (Proposal by Nigeria)", will be considered in a sub-committee, to be set up under Main Committee I.

In consideration of the foregoing, I have the honour to forward herewith, the text of a memorandum prepared by Nigeria for the Fourth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. I would appreciate it if the text of the memorandum could be issued and circulated as an official document of the Review Conference.

(Signed) Emeka Ayo Azikiwe
Ambassador
Permanent Representative

Annex

MEMORANDUM BY NIGERIA

INTRODUCTION

1. During the first session of the Preparatory Committee for the Fourth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, held in New York in May 1989, Nigeria indicated that it would propose measures to ensure the security of non-nuclear-weapon States parties to the NPT during the Fourth Review Conference of the Parties to the Treaty. On 2 November 1989, the Government of Nigeria submitted a draft agreement on the prohibition of the use or threat of use of nuclear weapons against non-nuclear-weapon States parties to the NPT, to the three depositary Governments. The depositary Powers were requested to circulate the text to all the NPT States parties and to arrange to convene a Conference for the consideration of the proposal, preferably during the forthcoming Review Conference next August.

2. The text of the proposal, which is attached to the present document, has already been circulated among all States parties by the depositary Governments. The proposal was also circulated in the Conference on Disarmament as an official document of that Conference. Furthermore, the Government of Nigeria has made some bilateral contacts with States parties on the initiative, which have, so far, been receiving very encouraging responses.

II. BACKGROUND

3. The concept of security assurances to the non-nuclear-weapon States parties to the NPT is not new. It was born in the mid-1960s as a result of ever-growing concern, particularly among the many States not possessing nuclear weapons or belonging to military alliances which possess them, over the lack of progress in nuclear disarmament and the continuance of the nuclear arms race at an accelerated pace. The concept is linked with the NPT, since it was during its negotiation that a formal call was made by the non-nuclear-weapon States, for credible and reliable assurances against the use or threat of use of nuclear weapons.

4. During that negotiation, the non-aligned and neutral countries in the Eighteen-Nation Disarmament Committee - including Nigeria - had called for an acceptable balance of mutual responsibilities and obligations of nuclear and non-nuclear-weapon States in accordance with the terms of General Assembly resolution 2028 (XX). They proposed that a non-proliferation treaty should impose an obligation on the non-nuclear-weapon States to refrain from the acquisition of nuclear weapons and in order to ensure the desired balance of mutual obligations and responsibilities, the following measures were proposed for possible incorporation in the treaty - a comprehensive nuclear test ban, a freeze on and a gradual reduction of nuclear weapon stocks and means of delivery, a ban on the use of nuclear weapons and security assurances to non-nuclear-weapon States.

5. It was then contended that the NPT should not be made dependent on the implementation of other disarmament measures. However, on the question of negative security assurances, one of the nuclear-weapon States declared its willingness to include in the draft treaty, a clause prohibiting the use of nuclear weapons against non-nuclear-weapon States which were parties to the Treaty and which had no nuclear weapons stationed on their territories. Another nuclear-weapon State stated that, nations which did not seek to acquire nuclear weapons would receive its strong support against "threats of nuclear blackmail". The non-aligned and neutral members of the Eighteen-Nation Disarmament Committee had expressed concern that the relinquishing of the nuclear option should not place them at permanent military disadvantage and make them vulnerable to nuclear intimidation. They, therefore, sought categorical assurances that nuclear weapons would not be used against them nor would they be subjected to nuclear blackmail.

6. On 24 August 1967, when the United States and the Soviet Union submitted separate but identical texts of a draft treaty to the Disarmament Committee, there were provisions to ensure the security of non-nuclear-weapon States. Alternatively, the United States, the USSR and the United Kingdom of Great Britain and Northern Ireland proposed that security assurances be provided to non-nuclear-weapon States in the form of a Security Council resolution, supported by a declaration of the three Powers. Accordingly, following the adoption of the NPT by the General Assembly, the Soviet Union, the United States and the United Kingdom sponsored a draft resolution on security assurances as a matter outside but closely connected with the Treaty. It was adopted by the Council on 19 June 1968 as resolution 255 (1968). By that resolution, the Security Council recognized that aggression with nuclear weapons, or the threat thereof, against a non-nuclear-weapon State would create a situation in which the Security Council above all, its nuclear-weapon States permanent members, would have to act immediately in accordance with their obligations under the United Nations Charter. Thereafter, the three nuclear-weapon States made declarations which warned that any State which committed or threatened aggression using nuclear weapons must be countered effectively by measures to be taken in accordance with the Charter to suppress aggression or remove the threat of it. They also affirmed their intention to seek immediate action by the Council in accordance with the Charter should it be required.

7. The assurances provided through Security Council resolution 255 (1968) and the attached declarations made by the United States of America, the USSR and the United Kingdom of Great Britain and Northern Ireland, were positive security assurances, which envisage assistance only after actual use of nuclear weapons, or the threat thereof, must have occurred. The positive security assurances were therefore considered inadequate:

(a) First, the Security Council resolution did not define the nature of the action that would be taken against a delinquent State;

(b) Secondly, the Security Council resolution and the declarations made by the three Powers merely reaffirmed the existing Charter obligations to provide assistance or support to a country attacked, irrespective of the type of weapons employed;

(c) Thirdly, positive guarantees are incompatible with the non-aligned and neutral status of some non-nuclear-weapon States;

(d) Fourthly, nuclear threat can come only from a nuclear-weapon State. Since all five nuclear-weapon States were permament members of the Security Council with the right of veto, any decision concerning military or non-military action against a delinquent State would be impossible since it is unlikely that an aggressor would consent to a collective action to be taken against itself.

8. In view of the foregoing, the non-nuclear-weapon States intensified their demand for negative security assurances, under which the nuclear-weapon States parties would undertake, in a legally binding manner, not to use or threaten to use nuclear weapons against non-nuclear-weapon States parties.

9. Although a Conference of Non-Nuclear-Weapon States was held at Geneva in 1968 shortly after the adoption of the NPT to consider the issue, among others, consensus was not reached in favour of demanding negative security assurances as a condition for adherence to the NPT.

10. Since then the issue has continued to be discussed at various disarmament forums without any agreement reached, while the nuclear weapons in the arsenals of the nuclear-weapon States have multiplied several times over.

11. During the first special session of the General Assembly devoted to disarmament, held in New York in May-June 1978, the five nuclear-weapon States individually made specific unilateral declarations on security assurances. These declarations made by both parties and non-parties of the NPT fell short of the legally binding negative security assurances required by the non-nuclear-weapon States parties, particularly from the nuclear-weapon States parties.

12. In the Final Document of the Tenth Special Session of the General Assembly itself (see General Assembly resolution S-10/2), the nuclear-weapon States were all called upon "to take urgent measures to assure the non-nuclear-weapons States against the use or threat of use of nuclear weapons". Following this, an item entitled "Conclusion of effective arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons" was included in the agenda of the Conference on Disarmament from 1979 and two draft Conventions on the subject were submitted, one by the Soviet Union, a nuclear-weapon State party; and the other by Pakistan, not a party to the NPT. From this point on, consideration of the item at the Conference on Disarmament showed that the question of negative security assurances, which had commenced as a legitimate demand, especially by the non-aligned and neutral non-nuclear-weapon States (which had renounced the nuclear option in a legally binding manner under the NPT), in the course of time had increasingly turned into an East-West affair, to the extent that the nuclear-weapon States exclusively preoccupied themselves with their own security concerns and focus instead of the interest of non-nuclear-weapon States. On the other hand, the equal status given to both non-nuclear-weapon State parties to the NPT and non-parties on the question, endangers the NPT itself.

13. It is in view of the foregoing that Nigeria formally submitted its proposed agreement on the prohibition of the use or threat of use of nuclear weapons against non-nuclear-weapon States parties to the NPT for inclusion in the agenda to be proposed to the Fourth Review Conference of the Parties to the NPT.

14. It is Nigeria's view that the appropriate venue to consider the proposed agreement on security of non-nuclear-weapon States parties to the NPT should be the NPT forum itself. Since it was through the membership of the NPT that the nuclear option was relinquished by the non-nuclear-weapon States. Nigeria is also of the view that the negotiations at the Committee on Disarmament may not easily yield the desired result in view of the attitude of the non-nuclear-weapon States not parties to the NPT, which, while seeking guarantees, remain unwilling to renounce the nuclear options.

Current status

15. At the third session of the Preparatory Committee for the Fourth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, the Preparatory Committee endorsed Nigeria's proposal, by consensus, for inclusion in the agenda of the Conference as item 13 B 3 under the title "Consideration of proposed agreement on the prohibition of use or threat of use of nuclear weapons against non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons - (Proposal by Nigeria)." In view of the obvious importance of the item, agreement was also reached that a sub-committee be set up under Main Committee I to study and examine the proposal in detail to facilitate its consideration and eventual adoption by the Review Conference.

16. Nigeria believes that the adoption of its proposal will contribute immensely to the strengthening of the NPT in particular and the non-proliferation régime in general. It will allay the anxiety of most non-nuclear-weapon States parties to the NPT, whose confidence in the Treaty appears to be eroding, arising from their concern that foregoing nuclear option through their membership of the NPT may have placed them in permanent military disadvantage and made them vulnerable to nuclear intimidation. It will also provide further incentive to States not parties, which hitherto remained outside the Treaty to now consider adhering to the NPT since it will be directly relevant to their security in the nuclear era.

17. Nigeria believes that it is in the interest of the NPT and the non-proliferation régime for the proposal to be adopted early.

18. In order to facilitate the work on the Nigerian project in the Sub-Committee of Main Committee I, the proposed draft agreement on the prohibition of the use or threat of use of nuclear weapons against non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons, is attached hereto.

Appendix

Proposed agreement on the prohibition of the use or threat of use of nuclear weapons against non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons
(proposal by Nigeria)

The States Parties to this Agreement,

Being also parties to the Treaty on the Non-Proliferation of Nuclear Weapons opened for signature at London, Moscow and Washington on 1 July 1968 (hereinafter called "the Treaty"), have hereby accepted the following provisions:

Article I

Each nuclear-weapon State Party to this Agreement undertakes not to use or threaten to use nuclear weapons against any non-nuclear-weapon State Party to the Treaty which does not belong to a military alliance and does not have other security arrangements providing for mutual defence with a nuclear-weapon State.

Article II

Each nuclear-weapon State Party to this Agreement undertakes not to use or threaten to use nuclear weapons against any non-nuclear-weapon State Party to the Treaty which belongs to a military alliance, or has other security arrangements providing for mutual defence, with a nuclear-weapon State but has no nuclear weapons stationed on its territory. The non-nuclear-weapon State Party to the Treaty referred to in this article undertakes not to partake in, or contribute to, any military attack on any nuclear-weapon State Party to this Agreement, or its allies, Parties to the Treaty, except in self-defence, in accordance with the Charter of the United Nations.

Article III

1. This Agreement shall be signed and shall be subject to ratification, or may be acceded to, as if the provisions of article IX of the Treaty applied hereto.

2. This Agreement shall enter into force in respect of each State on the date of deposit of the instrument of ratification or accession of the State concerned.

3. The duration of this Agreement shall be the same as that of the Treaty and the provision regarding denunciation contained in article X, paragraph 1, of the Treaty shall be applicable to it.

Article IV

This Agreement, the English, Russian, French and Chinese texts of which are equally authentic, shall be deposited in the archives of the Depositary

Governments. Duly certified copies of this Agreement shall be transmitted by the Depositary Governments to the Governments of the signatory and acceding States.

In witness WHEREOF the undersigned plenipotentiaries, having deposited their full powers, found to be in good and due form, hereby sign this Agreement on behalf of their respective Governments.

Done in triplicate, at the cities of London, Moscow and Washington, the ..... day of ..... one thousand nine hundred and .....

Fourth Review Conference
of the Parties to the Treaty
on the Non-Proliferation of Nuclear Weapons

NPT/CONF.IV/18
17 July 1990

ORIGINAL: ENGLISH

MEMORANDUM SUBMITTED BY THE GOVERNMENTS OF DENMARK, FINLAND, ICELAND, NORWAY AND SWEDEN ON THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

Letter dated 10 July 1990 from the Permanent Representatives of Denmark, Finland, Iceland, Norway and Sweden addressed to the Provisional Secretary-General of the Fourth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

We have the honour to transmit to you herewith a memorandum stating the views of the five Nordic countries on the question of non-proliferation of nuclear weapons.

We should be grateful if this letter and the memorandum could be circulated as an official document of the Fourth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

(Signed) Kjeld MORTENSEN
Ambassador
Permanent Representative
of Denmark to the
United Nations

(Signed) Benedikt GRONDAL
Ambassador
Permanent Representative
of Iceland to the
United Nations

(Signed) Klaus TORNUDD
Ambassador
Permanent Representative
of Finland to the
United Nations

(Signed) Martin HUSLID
Ambassador
Permanent Representative
of Norway to the
United Nations

(Signed) Jan ELIASSON
Ambassador
Permanent Representative
of Sweden to the
United Nations

Annex

MEMORANDUM BY DENMARK, FINLAND, ICELAND, NORWAY AND SWEDEN

I

1. The Treaty on the Non-Proliferation of Nuclear Weapons (NPT) is a vital instrument to prevent the proliferation of nuclear weapons, to promote nuclear and general disarmament, and to ensure that nuclear energy is developed for peaceful purposes only. It is an integral part of efforts to reduce the danger of nuclear war and has contributed significantly to international stability and security. Measures to prevent the spread of nuclear weapons are essential for regional and global security.

2. In the view of the Governments of Denmark, Finland, Iceland, Norway and Sweden, the NPT remains the single most important multilateral agreement on disarmament and arms limitation so far. Today more than 140 States have become parties to the NPT, which is more than to any other multilateral agreement in this field. However, it is a matter of concern that some nuclear-weapon States and nuclear-weapon-capable States remain outside the Treaty. The Nordic countries urge all States that have not yet done so to become parties to the NPT.

3. The Nordic Governments are fully committed to further strengthening the non-proliferation régime. Universal adherence to the NPT and full compliance with the letter and spirit of its obligations are the best approach to achieving the primary goals of the Treaty: to avert the spread of nuclear weapons, to limit and reduce nuclear weapons and to promote international co-operation in the field of peaceful uses of nuclear energy with due consideration for the needs of developing countries.

4. All parties to the NPT have agreed to pursue negotiations in good faith on nuclear disarmament. The primary responsibility in this field, however, rests with the nuclear-weapon States. The Nordic countries welcome the results of the bilateral disarmament negotiations between the United States of America and the Union of Soviet Socialist Republics. The implementation of the Treaty on the elimination of their intermediate-range and shorter-range missiles (INF Treaty) represents a significant achievement in the history of disarmament efforts. The reaffirmation by the United States and the Soviet Union at the recent summit meeting in Washington of the intention that the Treaty on the Reduction and Limitation of Strategic Offensive Arms (START Treaty) be signed by the end of the year is also welcomed. The goal of achieving such a Treaty deserves sincere support of the world community as it contains the hope of further diminishing the nuclear threat. Such reductions, however, constitute only the first step. The effort to achieve further deep cuts in the nuclear weapons arsenals must continue with the ultimate aim of completely eliminating these weapons.

5. The Nordic countries attach the greatest importance to the conclusion of a comprehensive nuclear-test-ban treaty with universal adherence. Such a treaty would be a most effective measure in support of the purposes of the NPT. It is,

therefore, a matter of special concern that the Conference on Disarmament has not yet been able to reach agreement on a mandate for an ad hoc committee on a nuclear-test ban. The Nordic countries hope to see an early ratification of the Threshold Test Ban Treaty and the Peaceful Nuclear Explosions Treaty. While maintaining that a global comprehensive nuclear-test-ban treaty concluded at an early date is a matter of the highest priority, the Nordic countries hope that the two parties immediately will continue their negotiations aiming at implementing without delay substantial constraints on nuclear testing.

6. The NPT forms the basis for international nuclear trade as well as for a substantial number of nuclear co-operation agreements. These mechanisms together with the safeguards administered by the International Atomic Energy Agency (IAEA) meet the export policies of most supplier countries of nuclear technology. They keep open the markets for countries which need nuclear services from abroad. The continued functioning of the proved arrangements is thus of great importance to a large number of countries.

7. Since the entry into force of the Treaty, no non-nuclear-weapon State party to the NPT has acquired nuclear weapons. The possibility that non-nuclear-weapon States have already acquired or may be actively trying to acquire nuclear-weapons capabilities underlines the urgency of international non-proliferation measures. Such a possibility constitutes a particular grave danger in regions where tension or conflicts may pose a threat to international peace and security.

II

8. In view of the Fourth Review Conference of the NPT the Nordic Governments consider the realization of the following objectives and measures in the field of non-proliferation to be important:

- That all States which have not yet done so become parties to the NPT;

- International, legally binding commitment by all non-nuclear-weapon States not parties to the Treaty not to acquire nuclear weapons or other nuclear explosive devices;

- Acceptance by all non-nuclear-weapon States not parties to the Treaty of full-scope IAEA safeguards, that is IAEA safeguards on all nuclear materials in all their present and future nuclear activities;

- Conclusions of safeguards agreements with IAEA by all States parties to the Treaty which have not yet done so;

- Requirement of full-scope IAEA safeguards by all supplier States as a minimum condition for exports of relevant nuclear material, equipment and technology to non-nuclear-weapon States;

- Agreement on the principle that material under IAEA safeguards entering the jurisdiction of a nuclear-weapon State shall remain under IAEA safeguards;

- Steps towards separation of civilian and military nuclear activities in nuclear-weapon States with application of IAEA safeguards on all nuclear materials in their civilian sector;

- Continued pursuit of the principle of universal application of IAEA safeguards to all peaceful nuclear activities in all States;

- Further development of the IAEA safeguards system in order to ensure its capabilities and continued credibility in view of the progress of nuclear technology as well as the substantial increase of the nuclear materials to be safeguarded;

- Agreement on a formula that will assure adequate continued financing of IAEA safeguards;

- Full co-operation by all States with IAEA in its implementation of safeguards under existing and future bilateral and multilateral agreements;

- Strengthening of international co-operation and of national control measures in order to ensure that equipment and material especially designed or prepared for the processing, use or production of nuclear materials be transferred for peaceful purposes only.

III

9. The realization of the following objectives and measures in the field of arms limitation and disarmament is important:

- Early conclusion of a comprehensive nuclear-test-ban treaty;

- Further progress in the bilateral negotiations between the United States and the Soviet Union on nuclear and space arms leading to deep cuts in their nuclear arsenals and to preventing an arms race in outer space;

- Cessation of the production of fissionable material for weapons purposes;

- Agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons;

- Establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at between the States of the regions concerned and taking into account the characteristics of each region;

- Promotion of other effective measures on a national, bilateral and multilateral level related to the cessation of the nuclear arms race and to nuclear disarmament.

IV

10. With regard to the use of nuclear energy for peaceful purposes the realization of the following objectives and measures is important:

- Measures to assure the long-term supply of nuclear material, equipment and technology in a predictable manner, with assurances based on international, legally binding commitments against the proliferation of nuclear weapons;

- Strengthening of measures to ensure that all peaceful utilization of nuclear energy is carried out under strict observance of internationally recognized high standards of nuclear safety and radiological protection;

- Development of international co-operation, in particular in order to meet the needs of developing States for non-power use of nuclear energy in agriculture, medicine, and industry and hydrology.

V

11. The Nordic Governments look forward to participating in the Fourth NPT Review Conference. In their view, the Conference should lead to the adoption of a constructive and substantial final document supportive of the NPT.

12. Article X of the Treaty stipulates the convening of a Conference in 1995 to decide whether the Treaty should continue in force indefinitely or be extended for an additional fixed period or periods. The Nordic Governments support the efforts aimed at ensuring the prolongation of the NPT indefinitely and thus the continued effectiveness of the non-proliferation régime.

Fourth Review Conference
of the Parties to the Treaty
on the Non-Proliferation of Nuclear Weapons

NPT/CONF.IV/19
7 August 1990

ENGLISH
Original: RUSSIAN

INFORMATION

on the implementation by the Union of Soviet Socialist Republics of the Treaty on the Non-Proliferation of Nuclear Weapons

This information is submitted in accordance with the request by the Preparatory Committee for the Fourth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons that the nuclear-weapon States and other Parties to the Treaty should provide before the beginning of the Conference, information regarding the implementation of various articles of the Treaty.

Articles I and II

Since the Third Review Conference, the USSR has actively continued to maintain and reinforce the Treaty and the international régime for the non-proliferation of nuclear weapons based upon it. As a unique example of high responsibility on the part of the world community of States, which decided to erect by combined efforts a barrier to the spread of nuclear weapons across the planet, the Treaty makes an inestimable contribution to the safeguarding of international security and strategic stability at the global and regional levels.

As a nuclear-weapon State Party to the Treaty, the USSR has strictly adhered to its undertakings under article I of the Treaty not to transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices directly, or indirectly; nor has the USSR in any way assisted, encouraged, or induced any other State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices.

As in the past, the USSR has proceeded from the belief that strict observance of article II of the Treaty is one of the principal means of preventing the emergence of new nuclear-weapon States. In its relations with other States, the USSR has unswervingly adhered to its undertakings under article II of the Treaty.

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Article III

Pursuant to its undertakings under article III of the Treaty, the USSR has continued not to provide non-nuclear-weapon States with nuclear material and equipment for peaceful purposes except on condition of the application thereto of IAEA safeguards.

Together with other States which are nuclear suppliers, the USSR has continued to take part in work on amending and updating the list of nuclear materials and equipment whose export, in accordance with article III of the Treaty, requires the application of IAEA safeguards, and its export policy has been strictly guided by that list. It has also continued to advocate the acceptance by all States that are nuclear suppliers of the principle of applying IAEA safeguards to all the nuclear activity of non-nuclear countries which are not parties to the Treaty when they receive nuclear exports.

The USSR has contributed in every way to increase the effectiveness of the system of IAEA safeguards provided for under article III of the Treaty, at the same time urging that the Agency's practical activity in implementing its safeguards should not hamper economic or scientific and technological development or international co-operation in the peaceful use of nuclear energy and should be carried out in such a way as to make optimal use of the Agency's resources.

The USSR regards IAEA verification activities as an important constituent of the system of measures to support and reinforce the nuclear non-proliferation régime. Demonstrating its support for the safeguards system, the Soviet Union has collaborated with the Agency in the execution of IAEA inspections at its peaceful nuclear installations in accordance with the Agreement of 10 June 1985 on the application of IAEA safeguards in the USSR. Since the Third Conference, the list of peaceful facilities in the USSR from which the Agency may choose facilities for inspection has been expanded, in particular by the inclusion of such important facilities as fast reactors.

The Soviet Union has continued to give wide support to the technological development of IAEA safeguards. In the years 1986-1989, more than 7 million roubles was allotted for this purpose, including for the financing of research work in support of IAEA activities in the field of safeguards, and the holding in Soviet scientific institutions of training courses for IAEA inspectors, courses for the staff of national systems of accounting for and control of nuclear material, and technical meetings and scientific study tours for staff of the Agency. In addition to heavy water previously transferred to IAEA, the Soviet Union supplied the Agency with a shortened heat-release assembly for the VVER-440 reactor for staff training and instrument calibration.

Article IV

The Soviet Union invariably proceeds from the belief that the Treaty contributes to the strengthening of trust and co-operation among States and creates favourable opportunities for the development of broad international collaboration in the peaceful use of nuclear energy, with due consideration for the needs of developing countries and regions.

The USSR has actively urged universal recognition of the inalienable right of all States to use nuclear energy for peaceful purposes and to participate on an equal footing in international co-operation in this field without discrimination and in conformity with the requirements of articles I and II of the Treaty. By its consistent efforts to expand that co-operation in all possible ways, the Soviet Union, in conformity with article IV of the Treaty, has contributed substantially since the Third Review Conference to its development on both a bilateral and a multilateral basis, including within the framework of IAEA.

The Soviet Union's main efforts have been concentrated on co-operation with the countries of eastern Europe with regard to the safe development of nuclear power generation, improvement of the efficiency and reliability of electricity supply, reduction of the use of fossil fuel, and protection of the environment. To these ends, the co-operation has focused on the following main areas:

The increase of electricity-generating capacity using already-familiar types of nuclear reactors;

The introduction of nuclear power into the field of industrial and domestic heat supply;

Specialization and co-operation in the production and mutual supply of equipment for nuclear power stations;

Improvement of VVER reactors, and development and construction of high-capacity fast power reactors;

Development and improvement of the nuclear fuel cycle.

In conformity with multilateral agreements with east European countries, assistance has been provided to industry in those countries in mastering the production of certain types of equipment for VVER-440 and VVER-1000 reactors. The period under review also saw the commencement of the construction, with Soviet help, of VVER-1000 reactors in several of the countries of eastern Europe.

A new type of co-operation has also emerged, namely the joint construction of power plant by interested countries. Thus the Soviet Union is building the Khmelnitsky nuclear power station jointly with Hungary, Poland and Czechoslovakia. Under the terms of the relevant agreement, the Soviet Union will for 20 years supply these countries with electricity generated at the Khmelnitsky station in proportion to their participation in the construction of the station (in 1990, power will already be supplied as follows: to Hungary, 2.4 billion kWh; to Poland, 6 billion kWh; to Czechoslovakia, 3.6 billion kWh). Similar terms apply to the Yuzhno-Ukrainskaya nuclear power station, which is now being built in the Soviet Union in conjunction with Romania.

Co-operation in the field of nuclear heat supply developed appreciably. The USSR has designed a heat-supply station of 500 Mw and 300 Mw unit thermal capacity.

The Soviet Union continues to attach great importance to the activities of IAEA in the field of technical co-operation. This finds expression in the regular increase of its voluntary contributions to the Agency's Technical Assistance and Co-operation Fund, which usually exceed the sums recommended by the IAEA secretariat. In 1989, the Soviet Union's voluntary contribution amounted to 3.5 million roubles (in 1985 it was 2.6 million roubles). Moreover, the Soviet Union assigned supplementary resources of 2 million roubles to the Agency for the three-year period 1986-1988 for technical assistance to developing countries Parties to the Treaty.

The USSR is currently carrying out 19 large-scale contracts with IAEA for the supply of equipment, instruments and materials to a value of over 6 million roubles. A further 20 large-scale contracts for a total of approximately 10 million roubles are being prepared for signature.

Through IAEA the Soviet Union transfers to developing countries facilities and instruments such as the 50 kW "Argus" low-power reactor, a low-power research reactor, electron accelerators, the MGTs-20 cyclotron, the NG-11 neutron generator, a transportable installation for neutron radiography, gamma-therapy equipment, and also other apparatus and materials such as natural uranium, depleted uranium, metallic zirconium, metallic calcium, etc. Supplies have been sent to Bangladesh, Bulgaria, Egypt, Mongolia, Poland, Portugal, Yugoslavia and other countries.

Under IAEA auspices, various instructional projects are conducted in the Soviet Union: training courses - two or three courses annually, with a total of 50 to 80 participants; instruction at the place of work; traineeships (6 to 12 fellowship students annually, for periods from 2 to 12 months); scientific visits - 20 to 40 specialists from developing countries visit the USSR each year under the IAEA technical assistance programme. The Soviet Union supports the idea of setting up a system of guaranteed nuclear supplies based on principles being elaborated in the IAEA Committee on Assurances of Supply, taking into account the recommendations of the Third Review Conference.

As in the past, the Soviet Union favours the application to non-nuclear States Parties to the Treaty of a preferential régime as regards the supply of equipment, materials and information in the nuclear field.

Article V

As a nuclear-weapon State Party to the Treaty, the USSR remained ready to carry out its obligations under article V of the Treaty. It believes in this respect that IAEA is the international organ through which services connected with peaceful nuclear explosions can be made available under appropriate international observation. However, for economic and environmental reasons, interest in receiving such services has decreased since the Third Review Conference.

Article VI

Since the Third Review Conference, the Soviet Union has intensified its efforts, both unilaterally and in the course of bilateral and multilateral negotiations, to carry out the provisions of article VI and the tenth preambular paragraph of the Treaty, which respectively contain an undertaking "to pursue negotiations in good faith on effective measures relating to

cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control" and confirm the determination "to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time and to continue negotiations to this end". In its activities in pursuit of these goals, the Soviet Union has also taken due account of the relevant provisions of the Final Document of the Third Review Conference.

The period since the Third Review Conference has coincided with revolutionary changes in the Soviet Union which have also directly affected the sphere of arms limitation and disarmament, promoting the creation of favourable conditions for decisive progress towards the building of a nuclear-free and non-violent world. A direct expression of the new thinking in the field of disarmament was provided by the Soviet Union's proposal on 15 January 1986 of a programme for the stage-by-stage elimination of nuclear and other weapons of mass destruction by the year 2000 which provides for a whole set of measures for the effective realization of the provisions of article VI of the Treaty.

In this context, the biggest event of all was the entry into force on 1 June 1988 of the Soviet-United States Treaty on the Elimination of their Intermediate-Range and Shorter-Range Missiles, the first treaty in the history of the existence of nuclear weapons to provide for the elimination of two classes of such weapons. Under this INF Treaty, all missiles with a range from 500 to 5,500 kilometres are subject to elimination, their launchers and the associated support structures and equipment are to be eliminated. A ban is also imposed on the production and testing of such equipment. The total number of missiles to be eliminated by the USSR is 1,846. An important role in the implementation of the treaty is played by the National Nuclear Risk Reduction Centres established in accordance with the Soviet-United States Agreement of 15 September 1987.

The INF Treaty created the preconditions for further, deeper cuts in armaments, and above all in nuclear weapons. The value of the experience gained in implementing it, including the verification machinery it contains, is evident for the treaty on the reduction of the Soviet Union's and the United States strategic offensive arms the elaboration of which has been in progress since 1985 and has now entered its final stage. The conclusion of this treaty is one of the Soviet Union's highest priorities as regards the implementation of the programme for the complete elimination of nuclear arms. The principles for progress in this direction has been laid as a result of six meetings between the leaders of the USSR and the United States. A radical turning point in military and strategic co-operation between the Soviet Union and the United States was reached at the Geneva summit meeting in November 1985, during which both sides made seminal declarations to the effect that a nuclear war cannot be won and must never be fought and that neither the Soviet Union nor the United States seeks military superiority. At the Reykjavik meeting in October 1986, a fundamental breakthrough was achieved in the comprehension of the process of nuclear disarmament; in particular, agreement was reached on the principle of 50 per cent reductions in the Soviet Union's and the United States strategic offensive arms. At Washington (December 1987) and Moscow (May-June 1988) and on Malta (December 1989), the basic parameters of the treaty, including its verification machinery, were agreed.

Decisive progress in the reduction of strategic offensive arms was achieved in the course of the latest Washington summit meeting (May-June 1990), at which the two sides not only approved the basic provisions of the treaty now being drawn up, thus establishing the essential prerequisites for its signing this year, but also adopted a statement on future negotiations in this field that provides for further reductions in Soviet and United States strategic arms. The Soviet Union intends to do everything in its power for the speedy realization of these agreements.

The Soviet programme for transition to a nuclear-free world also provides for the elimination of tactical nuclear weapons. To this end, the Soviet Union has proposed the immediate commencement of appropriate negotiations. For its part, the USSR has already taken a series of measures in this direction. In 1989, 500 nuclear warheads were withdrawn from the territory of Warsaw Treaty allies of the Soviet Union (aerial - 166, artillery - 50, missile - 284). In June 1990 the Soviet Union declared the unilateral reduction in central Europe of a further 60 tactical missile launches and more than 250 units of nuclear artillery and the withdrawal of 1,500 nuclear warheads. By the end of 1990 there will have been an overall reduction of 140 missile launchers and 3,200 pieces of nuclear ordnance. In addition, the Soviet Union is not modernizing its tactical nuclear missiles even by replacing them. In June 1990, the Soviet Union proposed the commencement of negotiations on the elimination of all short-range nuclear forces in Europe before agreement is reached on the reduction of conventional armed forces in Europe.

The process of genuine nuclear disarmament having begun, the Soviet Union has announced the cessation of its production of highly enriched uranium, the closing in 1987 of one reactor producing weapons-grade plutonium, the planned closure of several more such reactors in 1989-1990 and the adoption in the USSR of a programme for withdrawing from service by the year 2000 all remaining industrial reactors producing weapons-grade plutonium. In May 1989, the Soviet Union proposed to the United States that they should undertake without delay the elaboration of a bilateral agreement on the verifiable cessation of production of all fissionable materials for weapons, and in September 1989 it proposed to all nuclear-weapon States a start on preparations for concluding a treaty on the cessation and banning of the production of such materials, for the verification of whose implementation it would be possible to use IAEA's safeguards experience.

In 1989 the Soviet Union also put forward in the United Nations a proposal for an agreement on the non-use for military purposes of nuclear materials released as a result of nuclear disarmament agreements and on the development of the corresponding verification mechanism. In the opinion of the USSR, it would be possible simultaneously with this to undertake scientific and technological study of the possibilities of using such materials for peaceful purposes. In this way not only would the feeder canal for the nuclear arms race be cut off, but a system of safeguards against the rebirth of nuclear weapons would be formed.

The swift achievement of a comprehensive ban on the testing of nuclear weapons remains one of the Soviet Union's highest priorities. To achieve this goal the Soviet Union is using all the ways and means possible - unilateral, bilateral and multilateral.

During the 18 months from August 1985 to February 1987, the Soviet Union maintained a unilateral moratorium on all nuclear explosions. Since then it has repeatedly declared its readiness to return at any time to a moratorium on all nuclear explosions reciprocally with the United States. In 1989, mindful of its duties towards the world community, the Soviet Union revised its nuclear test programme, substantially reducing the number and yield of explosions. Since October 1989, silence has reigned over Soviet test sites.

In September 1987, the Soviet Union reached an agreement with the United States to begin full-scale negotiations on the limitation and discontinuance of nuclear testing in the course of which, as a first step, both sides were to agree on effective verification measures permitting the ratification of the 1974 Treaty on the Limitation of Underground Nuclear Weapon Tests and the 1976 Treaty on Underground Nuclear Explosions for Peaceful Purposes of 1976, and then proceed to elaborate further interim constraints on nuclear tests, on the way towards the ultimate aim of their complete discontinuance, as parts of an effective disarmament process. During the summit meeting in Washington in May-June 1990, the Soviet Union and the United States signed verification protocols to the 1974 and 1976 Treaties, thus opening the way to the ratification of those instruments. At the same time the Soviet Union proposed to the United States the continuation without any artificial pauses or delays of full-scale negotiations in accordance with the agreement reached in 1987.

Throughout the period since the Third Review Conference the Soviet Union has consistently called for the immediate commencement at the Geneva Conference on Disarmament, of practical multilateral work on drawing up a comprehensive test ban treaty within the framework of an ad hoc committee. In 1987, jointly with a number of other countries participating in the Conference on Disarmament, the Soviet Union introduced for the consideration of that organ a document entitled "Basic Provisions of a Treaty on the Complete and General Prohibition of Nuclear Weapon Tests", containing in particular some new proposals for a verification system for such a treaty, including mandatory on-site inspection. The Soviet Union also proposed the setting-up within the framework of the Conference of a group of scientific experts to prepare scientifically-based recommendations on the verification structure for any possible agreement on the non-conduct of nuclear-weapon testing, define verification methods and their applicability and work out the procedure for their implementation. It was also proposed to set up an international system for the global monitoring of radiation safety, using space communications links. The Soviet Union was an initiator of the large-scale international experiment in the exchange of Level II seismological data.

As one way of solving the problem of a comprehensive nuclear test ban, the Soviet Union has supported from the outset the proposal that the sphere of activity of the 1963 Treaty Banning Nuclear-Weapon Tests in the Atmosphere, in Outer Space and under Water should be extended to cover underground testing and that a conference of States parties to this Treaty should be called to consider the necessary amendment.

The Soviet Union is firmly resolved to do everything in its power speedily to fulfil its obligations in the sphere of nuclear testing that arise out of the Treaty on the Non-Proliferation of Nuclear Weapons.

In addition to measures for the limitation, reduction and elimination of the material means for waging nuclear war, the Soviet Union has continued to make consistent efforts aimed at the elaboration of agreements conducive to the prevention of such war, and at the provision of effective safeguards against the use of nuclear weapons. The undertaking given by the Soviet Union in 1982 not to be the first to use nuclear weapons remains in force, as does the undertaking not to use nuclear weapons against States that renounce the production and acquisition of such weapons and have none on their territory. As before, the Soviet Union is ready to have the relevant obligations of nuclear Powers recorded in a single document having the nature of an international legal instrument.

Throughout the period under review, the Soviet Union has both unilaterally and within the framework of bilateral, regional and multilateral negotiations taken active and purposeful measures to discharge the other undertakings under article VI of the Treaty, particularly with regard to the prevention of an arms race in outer space, the banning and destruction of all types of weapon of mass destruction and the limitation and reduction of conventional armaments and armed forces, having in view as the final objective of negotiations in this field general and complete disarmament under strict and effective international control.

Article VII

Since the Third Review Conference, the Soviet Union has maintained its active support for efforts to create nuclear-weapon-free zones in various parts of the world, in the belief that this process promotes the reinforcement of regional and universal security, narrows the geographical sphere of nuclear preparations, and thereby strengthens the nuclear non-proliferation régime. In its declaration of 15 January 1986, the Soviet Union in essence raised the question of turning the entire planet into a nuclear-free zone. In this respect the Soviet Union proceeds from the belief that agreements on the establishment of nuclear-free zones must conform to the generally-recognized rules of international law and must guarantee the reliable observance of the nuclear-free status of such zones.

Guided by this principle, in 1978 the Soviet Union adhered to Additional Protocol II to the Treaty for the Prohibition of Nuclear Weapons in Latin America. On 15 December 1986, the USSR was the first of the nuclear Powers to sign, and on 29 January 1988 to ratify Protocols 2 and 3 to the South Pacific Nuclear Free Zone Treaty.

In the opinion of the Soviet Union, new prospects for the implementation of proposals for the creation of nuclear-free zones, particularly in Europe, have opened up in connection with the concluding of the Soviet-United States INF Treaty and the further development of the pan-European process. In this connection, the Soviet Union has not only continued supporting various initiatives on the creation of such zones in northern and central Europe, the Balkans and the Mediterranean, but has also taken a series of unilateral measures concerning its own territory with the aim of creating favourable conditions for establishing such zones, including in particular giving nuclear-free status to the water area of the Baltic Sea.

The Soviet Union also supports proposals for the creation of zones free from nuclear weapons and other types of weapon of mass destruction in other regions of the world, in particular the Near East, Africa, South-East and South Asia, the Korean Peninsula, the South Atlantic, etc.

The Soviet Union is prepared to continue doing everything in its power to implement the provisions of article VII of the Treaty, particularly by giving appropriate guarantees, both bilaterally and multilaterally, to parties to future agreements on nuclear-free zones.

Article VIII

The Soviet Union has endeavoured to provide all possible assistance for the successful preparation and conduct of the Review Conferences of the Parties to the Treaty. Bearing in mind the financial difficulties encountered by the United Nations Secretariat in organizing the Fourth Review Conference, the Soviet Union sent in its contribution for the preparation and conduct of the Conference in advance.

Article IX

Believing that the most important way of consolidating the Treaty is further to expand the circle of States parties to it and that increasing the number of the Parties reinforces the Treaty's authority and efficacy, the Soviet Union has continued its consistent and active efforts to attract new States to the Treaty, particularly in regions of special importance with regard to the non-proliferation of nuclear weapons.

As a Depositary of the Treaty, the Government of the USSR has sent the notifications provided for in article IX, paragraph 5, of the Treaty promptly to all the Parties.